

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 1625 – HB 1685**

February 15, 2018

**SUMMARY OF BILL:** Requires the Department of Education (DOE) to create a process for local education agencies (LEAs) to develop implementation plans for response to instruction and intervention (RTI<sup>2</sup>) education. Authorizes DOE to approve or deny plans.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – Recurring federal funds for K-12 education may be jeopardized as a result of this legislation. The precise amount, if any, cannot be reasonably determined. However, the Department of Education’s Annual Statistical Report (ASR), in table 14, identifies \$231,701,200 in federal funding for the Individuals with Disabilities Education Act (IDEA).**

Assumptions:

- Under 20 U.S.C. 1412(a)(3), states are required to develop methods to determine whether children with disabilities are receiving special education, the “child find” provision.
- RTI<sup>2</sup> is used to determine eligibility of students to receive services for learning disabilities.
- Based on information provided by DOE, authorizing LEAs to create and implement their own RTI<sup>2</sup> process could possibly violate the child find provision, which may jeopardize federal funding to K-12 schools.
- The amount of federal funding that could be in jeopardy is unknown and dependent upon action of the U.S. Department of Education; however, the FY16-17 ASR identifies \$231,701,150 in federal IDEA funding for K-12 schools.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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